

DT02 Rec'd PCT/PTO 09 JUN 2004

DAC



Docket No.: 198334US8

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

RE: Application Serial No.: 09/741,824
Applicants: Kazuhisa KASHIHARA, et al.
Filing Date: December 22, 2000
For: ARRAYED WAVEGUIDE GRATING TYPE
OPTICAL MULTIPLEXER/DEMULTIPLEXER AND
OPTICAL WAVEGUIDE CIRCUIT
Group Art Unit: 2874
Examiner: PALMER, P.

SIR:

Attached hereto for filing are the following papers:

PETITION FOR CONSIDERATION UNDER 37 CFR 1.181 (a)(3)
COPY OF DATE-STAMPED FILING RECEIPT DATED March 16, 2004
COPY OF INFORMATION DISCLOSURE STATEMENTS FILED March 16, 2004
COPY OF FORM PTO 1449 FILED March 16, 2004

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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Registration No. 47,301



DOCKET NO: 198334US8

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KAZUHISA KASHIHARA, ET AL. : EXAMINER: PALMER, P.
SERIAL NO: 09/741,824 :
FILED: DECEMBER 22, 2000 : GROUP ART UNIT: 2874
FOR: ARRAYED WAVEGUIDE :
GRATING TYPE OPTICAL
MULTIPLEXER/DEMULTIPLEXER AND
OPTICAL WAVEGUIDE CIRCUIT

PETITION FOR CONSIDERATION UNDER 37 CFR § 1.181 (a)(3)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

This is a Petition pursuant to 37 CFR § 1.181 (a)(3) requesting that the examiner be instructed by the Commissioner or his representative to notify the applicant of the proper consideration of the Information Disclosure Statements (IDS) that were filed on March 16, 2004.

STATEMENT OF FACTS

On March 16, 2004, the applicant filed a Statements under 37 CFR § 1.97. This filing is clearly documented by the attached copy of the associated date-stamped Mail Room receipt and a copy of the PTO Form 1449. The PTO has not responded to the IDS filings by supplying the applicant with a copy of the PTO Form 1449 properly initialed by the examiner in clear violation of the rules.

POINT FOR REVIEW

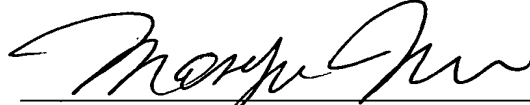
The point for review is why the applicant has not been provided a copy of the above-noted PTO Form 1449 properly initialed by the examiner in correspondence with the rules.

ACTION REQUESTED

In light of the above, it is respectfully requested that the examiner be directed to provide the applicant with a copy of the above-noted PTO Form 1449 properly initialed by the examiner.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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OSMM&N File No. 198334US8

Serial No. 09/741,824

In the matter of the Application of: Kazuhisa KASHIHARA, et al.

For: ARRAYED WAVEGUIDE GRATING TYPE OPTICAL
MULTIPLEXER/DEMULTIPLEXER AND OPTICAL WAVEGUIDE
CIRCUIT

Dept.: IP-I

By: BDL/phh

Due Date: 03/23/2004

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Information Disclosure Statement
- Cited References (8)
- Search Report EUROPEAN
- PTO-1449



COPY